

DOC # 00354981

Affidavits B: 0603 P: 0127
Jayrene B Nielsen Sevier County Recorder Page 1 of 9
07/01/2008 11:33:03 AM Fee \$0.00 By GOVERNOR OF STATE 0

**Supplement to Amended Acknowledgment and
Amended Notice of Acknowledgment
of Acceptance of R.S. 2477
Right-of-Way Grant**

THE STATE OF UTAH

TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:

This Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment and the affidavits attached hereto as Exhibit A supplement and support the Amended Acknowledgment and Amended Notice of Acknowledgment, previously made under Utah Code Sections 72-5-309 through 310 inclusive, as it pertains to the highway located in Sevier County known as 1033d_Poverty Flat Road; County Road Number: 6488; State Geographic Information Database (SGID) Road Identification Number: RD210090.

This document supplements and supports the information contained in the document first recorded at **Doc # 00344684, Bk 0561, Beg Pg 0500**, as modified by the Amended Acknowledgment and Amended Notice of Acknowledgment recorded on **2/13/2008** at **Doc #00352499 Bk 0591, Beg Pg 0714**. A legal description is attached hereto as Exhibit B.

In Witness Whereof, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 25th day of JUNE, 2008.

By the Governor's Designee



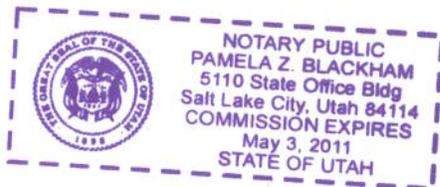
John Harja

CERTIFICATION

State of Utah)
 : ss
County of Salt Lake)

I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

Dated this 25th day of June, 2008.



Pamela Z. Blackham
Notary Public

Exhibit A

DOC # 00354981

Affidavits B: 0603 P: 0128
Jayrene B Nielsen Sevier County Recorder Page 2 of 9
07/01/2008 11:33:03 AM Fee \$0.00 By GOVERNOR OF STATE 0



AFFIDAVIT OF JOAN ANDERSON
POVERTY FLAT ROAD
SEVIER COUNTY, UTAH
COUNTY ROAD NUMBER 6488

State of Utah)
 : ss.
County of Sevier)

JOAN ANDERSON, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Marysvale, Piute County, Utah. I have lived in Piute County 65 years.
2. I have traveled and am familiar with a road in Sevier County known as the Poverty Flat Road (County Road Number 6488). I am also familiar with the land the road traverses. When I first used and observed the road in the 1950's, it followed the same route as in 2006 when I last observed it. Attached is a Sevier County map showing Poverty Flat Road (County Road Number 6488). To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
3. I am informed that the County also identifies this road according to the road number listed above.
4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the 1950's and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by various means, including jeeps, ATVs, mining trucks and horses. Throughout this time period, the road has been used daily, weather permitting.
5. Throughout the time period from the 1950's to 2006, I have used the road myself for the following uses: Hunting.

DOC # 00354981

Affidavits B: 0603 P: 0129
Jayrene B Nielsen Sevier County Recorder Page 3 of 9
07/01/2008 11:33:03 AM Fee \$0.00 By GOVERNOR OF STATE 0


6. Throughout the time period described in the previous paragraphs, I observed vehicles using the road at various times for the uses described in the previous paragraphs, plus the following uses: Rock Hounding.

7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900's and continuing through 1976 to 2006, for the uses described in the previous paragraphs, plus the following uses: Hunting and prospecting for gold and uranium. The road goes to a mine.

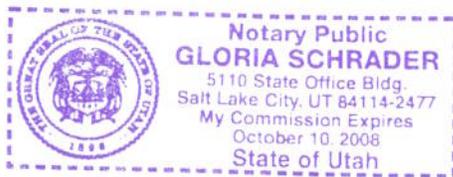
8. Prior to 1976, I observed backhoes performing maintenance/construction activities on the road.

DATED this 16 day of November, 2006.



JOAN ANDERSON

SUBSCRIBED AND SWORN to before me this 16th day of November, 2006.





NOTARY PUBLIC

DOC # 00354981

Affidavits B: 0603 P: 0130
Jayrene B Nielsen Sevier County Recorder Page 4 of 9
07/01/2008 11:33:03 AM Fee \$0.00 By GOVERNOR OF STATE 0



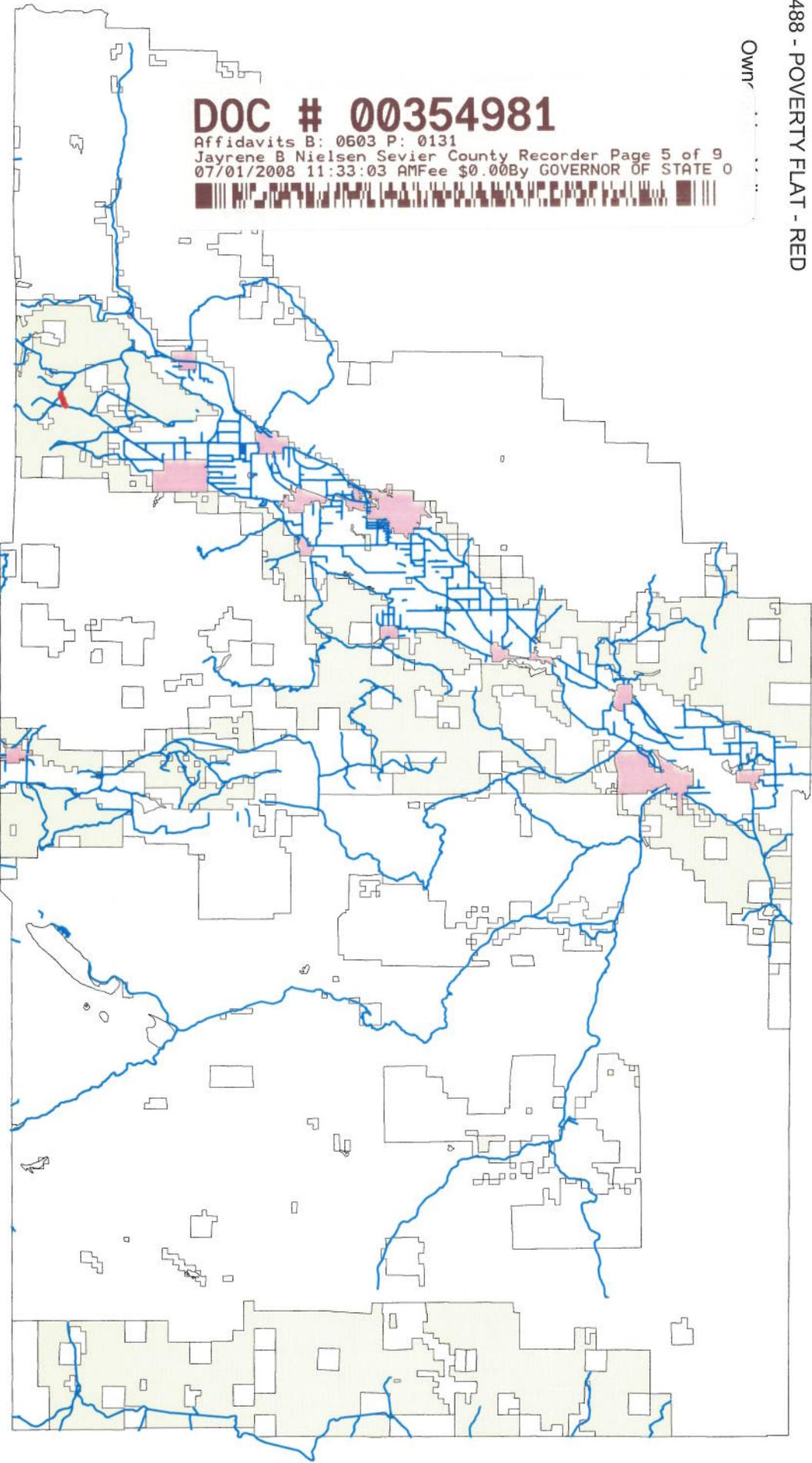
SEVIER COUNTY
RS2477
October 18, 2006

Class "B" Maintained Roads - Blue
6488 - POVERTY FLAT - RED

Ownr

DOC # 00354981

Affidavits B: 0603 P: 0131
Jayrene B Nielsen Sevier County Recorder Page 5 of 9
07/01/2008 11:33:03 AM Fee \$0.00 By GOVERNOR OF STATE 0



**AFFIDAVIT OF DALLIN MAGLEBY
POVERTY FLAT
SEVIER COUNTY, UTAH
COUNTY ROAD NUMBER 6488**

State of Utah)
 : ss.
County of Sevier)

DALLIN MAGLEBY, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Monroe, Sevier County, Utah. I have lived in Sevier County since 1931.
2. I have traveled and am familiar with a road in Sevier County known as Poverty Flat (County Road Number 6488). I am also familiar with the land the road traverses. When I first used and observed the road in the 1940's, it followed the same route as in 2006 when I last observed it. Attached is a Sevier County map showing Poverty Flat (County Road Number 6488). To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
3. I am informed that the County also identifies this road according to the road number listed above.
4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the 1940's and continuing through 1976 to 2006. During this time period I have observed travel on the road by means of all types of vehicles such as pickups, trucks, trailers, horses, and ATV's. During this time period, the road has been used daily.
5. During the time period from 1940 to 2006, I have used the road myself for hunting, prospecting, and traveling in and through the area.
6. During the time period described in the previous paragraphs, I observed vehicles using the road at various times for the uses described in the previous paragraphs, plus the following uses:

DOC # 00354981

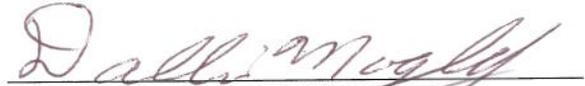
Affidavits B: 0603 P: 0132
Jayrene B Nielsen Sevier County Recorder Page 6 of 9
07/01/2008 11:33:03 AM Fee \$0.00 By GOVERNOR OF STATE 0


mining, oil and gas exploration, prospecting for minerals, government access, wood gathering, livestock operations, tourism, recreation, and accessing mines in the area.

7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the 1940's and continuing through 1976 to 2006, for the uses described in the previous paragraphs.

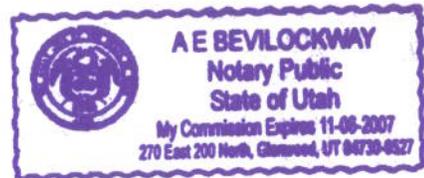
8. I personally observed graders performing maintenance/construction activities on the road prior to 1976.

DATED this 9 day of November, 2006.


DALLIN MAGLEBY

SUBSCRIBED AND SWORN to before me this 9th day of November, 2006.


NOTARY PUBLIC



DOC # 00354981

Affidavits B: 0603 P: 0133
Jayrene B Nielsen Sevier County Recorder Page 7 of 9
07/01/2008 11:33:03 AM Fee \$0.00 By GOVERNOR OF STATE 0



SEVIER COUNTY
RS2477
October 18, 2006

Class "B" Maintained Roads - Blue
6488 - POVERTY FLAT - RED

Ownership - Yellow

JM

DOC # 00354981

Affidavits B: 0603 P: 0134
Jayrene B Nielsen Sevier County Recorder Page 8 of 9
07/01/2008 11:33:03 AM Fee \$0.00 By GOVERNOR OF STATE 0

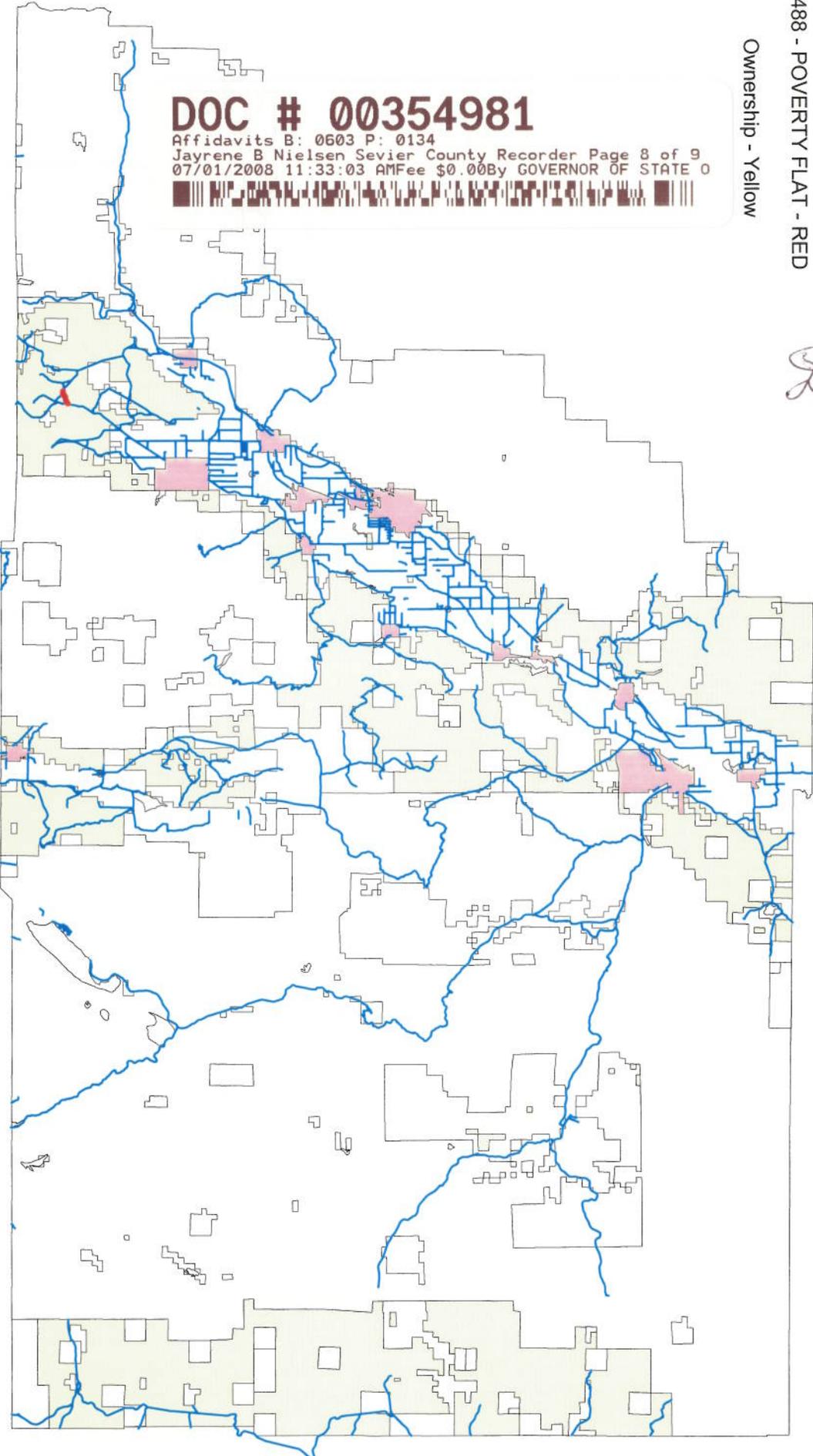


Exhibit B

Beginning & Ending Points and Township, Range, and Section References For:

Popular Name: 1033d_Poverty Flat Road

County: Sevier

County Road Number: 6488

State Geographic Information Database (SGID) Road Identification Number: RD210090.

Total Road Length: 0.66 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 32 minutes 33.44 seconds North Latitude and -112 degrees 11 minutes 24.24 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,443,010.5 feet and Y = 6,638,663.6 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 32 minutes 45.74 seconds North Latitude and -112 degrees 10 minutes 46.34 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,446,031.7 feet and Y = 6,639,885.0 feet based on the US Survey Foot conversion.

This road may traverse:

Township 26 South Range 4 West, Section(s) 12,13, Salt Lake Base & Meridian

DOC # 00354981

Affidavits B: 0603 P: 0135
Jayrene B Nielsen Sevier County Recorder Page 9 of 9
07/01/2008 11:33:03 AM Fee \$0.00 By GOVERNOR OF STATE 0

